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EXAMINER

HUYNH, SON P

ART UNIT PAPER NUMBER

2611

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19

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/110,667

Applicant(s)

BOYLAN III ET AL.

Examiner

Son P Huynh

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-46,75-117 and 133-136 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46,75-117 and 133-136 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-46, 75-117, 133-136 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-19, 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2-14, 16-19, 23 recites the limitation "the means for distributing the local advertisements" in line 2. There is insufficient antecedent basis for this limitation in the claims.

Claim 15 recites the limitation "the means for distributing the local advertisements" in line 3. There is insufficient antecedent basis for this limitation in the claims.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 6-7, 12-15, 20-25, 29-30, 35-38, 43-46, 75,84-86, 91-96, 100-101, 106-109, 114-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. (US 6,160,546) in view of Alexander et al. (US 6,177,931), and further in view of Burns (US 6,014,137).

Regarding claim 1, Thompson teaches a system in which local advertisements are distributed to user television equipment (24 – figure 2) in which television program guide (36-figure 10) is implemented, comprising:

a main facility (18-figure 2) that provides a data stream;

a distribution facility (20-figure 2) that receives the data stream, inserts local advertisements into the data stream (by local promotion unit 28-figure 2), and distributes the local advertisements to user television equipment (24 –figure 2);

means for using the television program guide to display the local advertisement (figure 10 and col. 8, lines 59-60). However, Thompson does not specifically disclose television program guide 36 is interactive television program guide; the local advertisements are specific to a particular geographic region; and means for providing a user with an

Art Unit: 2611

opportunity to use the interactive television program guide to select the local advertisements.

Alexander teaches interactive television program guide (figure 1); the local advertisements are specific to a particular geographic region (geographic location of the individual user – col. 32, lines 23-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson to use the teaching as taught by Alexander in order to allow user quickly locate a desired local advertisement. However, neither Thompson nor Alexander specifically discloses the local advertisement is selectable.

Burns teaches the local advertisements (restaurants, shops, etc. in ABC ski area is selectable – figure 2 and col. 5, line 5+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson and Alexander to use the teaching as taught by Burn in order to allow user to select icons for more information without displaying all information on the screen.

Regarding claim 2, Thompson discloses television distribution facility 20 provides promotional information (whether from the global video stream or locally inserted material) and program listing to television unit 24 on a dedicated television channel (col. 6, lines 48-55). Apparently, the means (20) for distributing the local advertisements comprises means for transmitting the local advertisements from a television distribution facility (20) to the user television equipment (24).

Art Unit: 2611

Regarding claim 6, Thompson teaches system for distributing the local advertisements comprises means (18) for transmitting a global data stream (video, control and data streams – col. 4, line 62+ and figure 2) to a television distribution facility 20; means (local promotion unit 28) for inserting the local advertisements into the global data stream at the television distribution facility (col. 4, line 62+ and figure 2); means for transmitting the local advertisements from the television distribution facility to the user television equipment 24 as part of the global data stream (see col. 6, lines 48-55).

Regarding claim 7, Thompson teaches system for distributing the local advertisements comprises means (18) for transmitting a global data stream (video, control and data streams – col. 4, line 62+ and figure 2) comprising global advertisements (the global video stream contains video advertisements – col. 8, line 47) to a television distribution facility 20; means (local promotion unit 28) for inserting the local advertisements into the global data stream at the television distribution facility (col. 4, line 62+ and figure 2); means for transmitting the local advertisements from the television distribution facility to the user television equipment 24 as part of the global data stream (see col. 6, lines 48-55).

Regarding claim 12, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches transmitting a global

Art Unit: 2611

data stream comprising global advertisements to a television distribution facility (col. 4, line 30+) and television distribution facility inserts local advertisement into global data stream by local promotion unit 28. television distribution facility 20 then transmits global data stream and local advertisements to television unit 24 (figure 2 and col. 4, line 55+) However, none of these references specifically discloses transmitting the local advertisements to user television equipment as a separate data stream from the global data stream. Official Notice is taken that transmitting local information to user equipment as a separate data stream from the global data stream is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify Thompson, Alexander and Burns with the well-known teaching in the art in order to reduce interfering in the stream.

Regarding claim 13, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches means for transmitting global advertisements at a television distribution facility (20- figure 2); means for providing local advertisements to the television distribution facility (20- figure 2 and col. 4, line 55+). Alexander teaches transmitting local advertisements (overlay message – col. 32, line 35+) and global advertisements (video clip in the Ad window – col. 32, line 50+) to the user. Therefore, it would have been obvious to one of ordinary skill the art to modify Thompson to use the teaching as taught by Alexander in order to improve efficiency in advertising.

Art Unit: 2611

Regarding claim 14, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches means for transmitting global advertisements and program guide information to a television distribution facility (20 -figure 2 and col. 4, line 30+); means for providing local advertisements at the television distribution facility (col. 4, line 55+); transmitting program guide information and promotional information (whether from the global video stream or locally inserted material – col. 6, line 48+) to television unit 20. However, Thompson does not specifically disclose transmitting global advertisements and local advertisements to user. Alexander teaches transmitting local advertisements (overlay message – col. 32, line 35+) and global advertisements (video clip in the Ad window – col. 32, line 50+) to the user. Therefore, it would have been obvious to one of ordinary skill the art to modify Thompson to use the teaching as taught by Alexander in order to improve efficiency in advertising.

Regarding claim 15, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches main facility 18 transmits global advertisements and program guide information to a television distribution facility (20 -figure 2 and col. 4, line 30+). Necessarily, the program guide data and global advertisements are stored at main facility in order to quickly provide to television distribution facility upon request; the global video stream contains global advertisements (col. 8, line 48). Apparently, the system comprising: means for providing the program guide data and global advertisements from the main facility to a television



Art Unit: 2611

distribution facility (col. 4, line 28+); means for providing local advertisements at the television distribution facility (col. 4, line 55+); transmitting program guide information and promotional information (whether from the global video stream or locally inserted material – col. 6, line 48+) to television unit 20. However, Thompson does not specifically disclose transmitting global advertisements and local advertisements to user. Alexander teaches transmitting local advertisements (overlay message – col. 32, line 35+) and global advertisements (video clip in the Ad window – col. 32, line 50+) to the user. Therefore, it would have been obvious to one of ordinary skill the art to modify Thompson to use the teaching as taught by Alexander in order to improve efficiency in advertising.

Regarding claim 20, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Alexander further teaches means (EPG) for displaying global advertisements (advertisements displayed on Ad window – figure 1 and col. 26, line 61+).

Regarding claim 21, Alexander teaches means (EPG) for displaying a program-listing region (22- figure1) with the interactive television program guide).

Regarding claim 22, Alexander teaches means (10) for displaying global advertisements (advertisements in Ad window – figure 1) with the interactive television program guide; and means for displaying a program listing regions (22-figure 1).

Regarding claim 23, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches means for transmitting global advertisements and program guide information to a television distribution facility (20 -figure 2 and col. 4, line 30+); means for providing local advertisements at the television distribution facility (col. 4, line 55+); transmitting program guide information and promotional information (whether from the global video stream or locally inserted material – col. 6, line 48+) to television unit 20. However, Thompson does not specifically disclose transmitting global advertisements and local advertisements to user; displaying the global advertisements with the interactive television program guide; displaying a program listings region comprising the program guide information with the interactive program guide. Alexander teaches transmitting local advertisements (overlay message – col. 32, line 35+) and global advertisements (video clip in the Ad window – col. 32, line 50+) to the user; displaying the global advertisements (in Ad window ) with the interactive television program guide (10); displaying a program listings region (22) comprising the program guide information with the interactive program guide (figure 1). Therefore, it would have been obvious to one of ordinary skill the art to modify Thompson to use the teaching as taught by Alexander in order to improve efficiency of advertising.

Art Unit: 2611

Regarding claims 24-25, 29-30, 35-38, 43-46, the limitations of the method as claimed correspond to the limitations of the system as claimed in claims 1-2, 6-7, 12-15, 20-23 and are analyzed as discussed in the rejection of claims 1-2, 6-7, 12-15, 20-23.

Regarding claims 75, 84-86, 91-94, the limitations as claimed correspond to the limitations as claimed in claims 1, 12-14, and 20-23 and are analyzed as discussed in the rejection of claims 1, 12-14, 20-23.

Regarding claims 95-96, 100-101, 106-109, 114-117, the limitations of the claims are respectively directed toward embody the method of claims 1-2, 6-7, 12-15, 20-23 in a "machine readable medium." It would have been obvious to embody the procedures of Thompson in view of Alexander and Burns as discussed with respect to claims 1-2, 6-7, 12-15, 20-23 in a "machine readable medium" in order that the instructions could be automatically performed by a processor.

6. Claims 3-5, 18-19, 26-28, 41-42, 76-79, 89-90, 97-99, 112-113 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. (US 6,160,546) in view of Alexander et al. (US 6,177,931) and Burns (US 6,014,137) as applied to claims 1, 24, 75, 95 above, and further in view of Carr (US 6,209,129).

Regarding claim 3, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. However, none of these references specifically

Art Unit: 2611

discloses transmitting local advertisements to a television distribution facility as part of a global data stream.

Car teaches transmitting local advertisements to a television distribution facility as part of a global data stream (col. 5, lines 6-10). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Carr in order to allow provider of global stream to control local advertisements in the global data stream.

Regarding claim 4, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. However, none of these references specifically discloses transmitting local advertisements to a television distribution facility as part of a global data stream that contains global advertisements.

Car teaches transmitting local advertisements to a television distribution facility as part of a global data stream that contains global advertisements (col. 5, lines 11-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Carr in order to allow provider of global stream to control local advertisements in global data stream.

Art Unit: 2611

Regarding claim 5, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. However, none of these references specifically discloses transmitting local advertisements to a television distribution facility as part of a global data stream that contains global advertisements.

Carr teaches transmitting local advertisements to a television distribution facility as part of a global data stream that contains global advertisements; and transmitting the local advertisements from the television distribution facility to the user television equipment (col. 5, lines 16-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Carr in order to allow provider of global stream to control local advertisements in global data stream.

Regarding claim 18, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Alexander further teaches displaying global advertisements (in Ad window) with the interactive television program guide (figure 1, col. 22, line 4+) and displaying local advertisements (message) and global advertisements (in Ad window – see col. 32, line 35+). However, none of these references specifically discloses cycling the display of the global advertisements and the local advertisements.

Art Unit: 2611

Car teaches cycling the display of the global advertisements and the local advertisements (displaying local information automatically by cycling global information and local information- abstract, lines 5-7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Carr in order allow user to view global advertisements and local advertisements without interact with the screen.

Regarding claim 19, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Alexander further teaches displaying global banner advertisements (in Ad window) with the interactive television program guide (figure 1 and col. 22, line 4+) and displaying local advertisements (message) and global advertisements (in Ad window – see col. 32, line 35+). However, none of these references specifically discloses cycling the display of the global banner advertisements and the local advertisements.

Car teaches cycling the display of the global advertisements and the local advertisements (displaying local information automatically by cycling global information and local information- abstract, lines 5-7). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Carr in order allow user to view global advertisements and local advertisements without interact with the screen.

Art Unit: 2611

Regarding claims 26-28 and 41-42, the limitations of the method as claimed correspond to the limitations of the system as claimed in claims 3-5 and 18-19 and are analyzed as discussed in the rejection of claims 3-5 and 18-19.

Regarding claims 76-77 and 89-90, the limitations as claimed correspond to the limitations as claimed in claims 3-4 and 18-19, and are analyzed as discussed in the rejection of claims 3-4 and 18-19.

Regarding claim 78, Thompson in view of Alexander, Burns and Carr teaches a system as discussed in the rejection of claim 76. Thompson further teaches inserts the local advertisements into the global data stream; and transmitting the local advertisements to the user television equipment (user TV 24) as part of the global data stream (figures 2, 10 and col. 4, line 55+).

Regarding claim 79, Thompson in view of Alexander, Burns and Carr teaches a system as discussed in the rejection of claim 77. Thompson further teaches inserts the local advertisements into the global data stream; and transmitting the local advertisements to the user television equipment (user TV 24) as part of the global data stream (figures 2, 10 and col. 4, line 55+).

Regarding claims 97-99, 112-113, the limitations of the claims are respectively directed toward embody the method of claims 3-5, 18-19 in a "machine readable medium." It

Art Unit: 2611

would have been obvious to embody the procedures of Thompson in view of Alexander, Burns and Carr as discussed with respect to claims 3-5, 18-19 in a "machine readable medium" in order that the instructions could be automatically performed by a processor.

7. Claims 8-11, 31-34, 80-83, 102-105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. (US 6,160,546) in view of Alexander et al. (US 6,177,931) and Burns (US 6,014,137) as applied to claims 1, 24, 75, 95 above, and further in view of Allen et al. (US 5,892,535).

Regarding claim 8, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches means (main facility 18-figure 2) for transmitting a global data stream to a television distribution system; means for transmitting the local advertisements from the television distribution facility to the user television equipment as part of the global data stream (see figures 2, 10 and col. 4, line 55+). However, none of these references explicitly discloses means for inserting the local advertisements into the global data stream by overwriting the global advertisements.

Allen teaches inserting the local advertisements into the global data stream by overwriting the global advertisements (substitute local advertisements in place of national advertisements (col. 17, line 48+). Therefore, it would have been obvious to



Art Unit: 2611

one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Allen in order to improve efficiency in advertising.

Regarding claim 9, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches means (main facility 18-figure 2) for transmitting a global data stream to a television distribution system; means for transmitting the local advertisements from the television distribution facility to the user television equipment as part of the global data stream (see figures 2, 10 and col. 4, line 55+). However, none of these references explicitly discloses global data stream comprising bandwidth reserved for local advertisements and inserting the local advertisements into the global data stream in the reserved bandwidth.

Allen teaches global data stream comprising bandwidth reserved for local advertisements and inserting the local advertisements into the global data stream in the reserved bandwidth (national network programmer provide certain intervals-designated breaks-during each program for use by the local cable programmer (col. 17, line 35+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Allen in order to improve efficiency in data insertion.

Art Unit: 2611

Regarding claim 10, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further teaches means (main facility 18-figure 2) for transmitting a global data stream to a television distribution system; means for transmitting the local advertisements from the television distribution facility to the user television equipment as part of the global data stream (see figures 2, 10 and col. 4, line 55+). However, none of these references explicitly discloses global data stream comprising slots reserved for local advertisements; and inserting the local advertisements into the global data stream in the reserved slots.

Allen teaches global data stream comprising slots reserved (intervals) for local advertisements and inserting the local advertisements into the global data stream in the reserved slots (national network programmer provide certain intervals-designated breaks-during each program for use by the local cable programmer -col. 17, line 35+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Allen in order to allow operator at the head end to insert local advertisement at a predetermined place, therefore reduce time spent of the operator to find a proper location for inserting local advertisements.

Regarding claim 11, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Thompson further discloses transmitting global advertisements to a television distribution facility (figure 2 and col. 8, line 48); and local

Art Unit: 2611

advertisements are inserted at the television distribution facility and transmitted with the promotional information to user TV 24 (figure 2 and col. 4, line 55+). However, Thompson does not specifically disclose global data stream having bandwidth reserved for local advertisements; transmitting global advertisements and local advertisements to user TV. Alexander teaches transmitting local advertisements (overlay message – col. 32, line 35+) and global advertisements (video clip in the Ad window – col. 32, line 50+) to the user. Therefore, it would have been obvious to one of ordinary skill in the art to modify Thompson to use the teaching as taught by Alexander in order to improve efficiency in advertising. However, none of these references explicitly discloses global data stream comprising bandwidth reserved for local advertisements and inserting the local advertisements into the global data stream in the reserved bandwidth.

Allen teaches global data stream comprising bandwidth reserved for local advertisements and inserting the local advertisements into the global data stream in the reserved bandwidth (national network programmer provide certain intervals-designated breaks-during each program for use by the local cable programmer (col. 17, line 35+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Allen in order to improve efficiency in data insertion.

Regarding claims 31-34, the limitations of the method being claimed respectively correspond to the limitations of the system being claimed in claims 8-11 and are analyzed as discussed with respect to the rejections of claims 8-11.

Regarding claims 80-83, the limitations being claimed correspond to the limitations being claimed in claims 8-11 and are analyzed as discussed with respect to the rejection of claims 8-11

Regarding claims 102-105, the limitations of the claims are respectively directed toward embody the method of claims 8-11 in a "machine readable medium." It would have been obvious to embody the procedures of Thompson, Alexander, Burns and Allen as discussed with respect to claims 8-10 in a "machine readable medium" in order that a processor could automatically perform the instructions.

8. Claims 16-17, 39-40, 87-88, 110-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson et al. (US 6,160,546) in view of Alexander et al. (US 6,177,931) and Burns (US 6,014,137) as applied to claims 1, 24, 75, 95 above, and further in view of Kikinis (US 5,929,849).

Regarding claim 16, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Alexander further discloses means for displaying a global advertisement (in Ad window) that may be selected by a user with the interactive

Art Unit: 2611

television program guide. However, none of these references discloses displaying a corresponding local advertisement with content related to the content of the global advertisement whenever the user selects the global advertisement.

Kikinis discloses a display system receiver wherein the BMW advertisement is displayed on the screen, when user click on the advertisement, a web page related to the advertisement is downloaded and displayed on the screen. The web page is an information portal for the TV viewer to access an abundance of information via the WWW, but not available in the original TV advertisement. Such information may includes detailed pricing structure, sales and lease term available, locations near the viewer where a demonstration drive may be accomplished and company representatives may be interviewed, a pre-filled order form may be accessed, the process of buying a dealer's product, and much more (see col. 8, lines 1-37). Thus, Kikinis teaches means for displaying a corresponding local advertisement (locations near the viewer...) with content related to the content of the global advertisement whenever the user selects the global advertisement (BMW). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Kikinis in order to efficiently provide local advertisements to user via global advertisements.

Regarding claim 17, Thompson in view of Alexander and Burns teaches a system as discussed in the rejection of claim 1. Alexander further discloses means for displaying a

Art Unit: 2611

global advertisement (in Ad window) that may be selected by a user with the interactive television program guide. However, none of these references discloses displaying corresponding full screen local advertisement whenever the user selects the global advertisement.

Kikinis discloses a display system receiver wherein the BMW advertisement is displayed on the screen, when user click on the advertisement, a web page related to the advertisement is downloaded and displayed on the screen. The web page is an information portal for the TV viewer to access an abundance of information via the WWW, but not available in the original TV advertisement. Such information may includes detailed pricing structure, sales and lease term available, locations near the viewer where a demonstration drive may be accomplished and company representatives may be interviewed, a pre-filled order form may be accessed, the process of buying a dealer's product, and much more (see col. 8, lines 1-37). Thus, Kikinis teaches means for displaying a corresponding local advertisement (locations near the viewer...) with content related to the content of the global advertisement whenever the user selects the global advertisement (BMW). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Thompson, Alexander and Burns to use the teaching as taught by Kikinis in order to efficiently provide local advertisements to user via global advertisements. However, none of these references specifically discloses displaying full screen local advertisement. Official Notice is taken that displaying data in full screen is well known in

Art Unit: 2611

the art. Therefore, it would have been obvious to one of ordinary skill to modify Thompson, Alexander, Burns and Kikinis to use the well-known teaching in the art in order to allow viewer to view information on screen easily.

Regarding claims 39-40, the limitations of the method being claimed respectively correspond to the limitations of the system being claimed in claims 16-17 and are analyzed as discussed with respect to the rejections of claims 16-17.

Regarding claims 87-88, the limitations being claimed correspond to the limitations being claimed in claims 16-17 and are analyzed as discussed with respect to the rejection of claims 16-17

Regarding claims 110-111, the limitations of the claims are respectively directed toward embody the method of claims 16-17 in a "machine readable medium." It would have been obvious to embody the procedures of Thompson, Alexander, Burns and Kikinis as discussed with respect to claims 16-17 in a "machine readable medium" in order that a processor could automatically perform the instructions.

9. Claims 133-136 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (US 6,177,931), and in view of Kikinis (US 5,929,849).

Art Unit: 2611

Regarding claim 133, Alexander teaches a system in which local and global advertisements are distributed to user television equipment (viewer's television system) on which an interactive television program guide is implemented, comprising: means (data source such as Internet – col. 8, line 18+) for distributing global and local advertisements to the user television equipment, wherein the local advertisements are specific to a particular geographic region (figure 1 and col. 32, line 23+); means (EPG) for using the interactive television program guide to display the global advertisement (in Ad window – figure 1); means (remote controller 26 – figure 2) for receiving a user selection of the global advertisement. Alexander further discloses Ad window is interactive to allow user to select the advertisement for more information (col. 13, line 54+). However, Alexander does not specifically disclose displaying a local advertisement corresponds to the global advertisement selected by the user in response to receiving the user selection. Kikinis teaches displaying a local advertisement corresponds to the global advertisement selected by the user in response to receiving the user selection (user selects BMW to display additional information such as local dealer of BMW – col. 8, line 1+ and figures 2A-2C). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Alexander to use the teaching as taught by Kikinis in order to efficiently provide local advertisements to user via global advertisements.



Art Unit: 2611

Regarding claim 134, the limitations of the method being claimed respectively correspond to the limitations of the system being claimed in claim 133 and are analyzed as discussed with respect to the rejections of claim 133.

Regarding claim 135, the limitations being claimed correspond to the limitations being claimed in claim 133 and are analyzed as discussed with respect to the rejection of claim 133.

Regarding claim 136, the limitations of the claims are respectively directed toward embody the method of claim 133 in a "machine readable medium." It would have been obvious to embody the procedures of Alexander and Kikinis as discussed with respect to claim 133 in a "machine readable medium" in order that a processor could automatically perform the instructions.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Simonin (US 6,049,824) teaches system and method for modifying an information signal in a telecommunications system.

Tognazzini (US 5,708,478) teaches computer system for enabling radio listeners/television watchers to obtain advertising information.

Art Unit: 2611

Stautner et al. (US 6,660,503) teaches integrated content guide for interactive selection of content and services on personal computer systems with multiple sources and multiple media presentation.

Picco et al. (US 6,029,045) teaches system and method for inserting local content into programming content.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

13. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is 703-306-0377.

Son P. Huynh  
January 23, 2004



HAITRAN  
PATENT EXAMINER